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on January 29, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Eleanor J. Taylor

PATENT  
Attorney Docket No.: A5031/T43300  
Client Ref. No.: 005031 USA/TCG/WCVD/LE  
TTC No. 016301-043300US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SCOTT BRAD HERNER

Application No.: 10/078,016

Filed: February 15, 2002

For: HIGH THROUGHPUT PROCESS  
FOR THE FORMATION OF A  
REFRACTORY METAL NUCLEATION  
LAYER

Confirmation No.: 5510

Examiner: Thanh T. Nguyen

Art Unit: 2813

RESPONSE TO OFFICE ACTION  
Mailed September 29, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed September 29, 2003, please enter the  
following remarks. A petition for a one month extension of time to respond is filed herewith.

A listing of currently pending claims begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.